



The Candy Defendants have moved to dismiss the Amended Complaint on the grounds of collateral estoppel. Dkt. Nos. 99, 100. That motion is based on a Decision and Order of the New York Supreme Court on January 21, 2025, rejecting Plaintiff's challenge to an administrative finding that Plaintiff was terminated from his employment as part of a reduction in force based on performance issues, not based on his familial/caregiver status. Dkt. No. 100-5. That determination, if given preclusive effect, would bar most if not all of Plaintiff's claims in this litigation. The burden of discovery, if the case is not stayed, would be great and may well prove to have been entirely unnecessary. *See* Dkt. No. 97 at 3 (noting that "there are numerous outstanding discovery issues"); Dkt. No. 79 (further describing the outstanding discovery). Given the delays already in this case, Plaintiff has not shown that he would suffer prejudice from the short delay necessary for the Court to decide the motion.

The stay will expire upon the issuance of an order sustaining, in whole or in part, the Amended Complaint. The parties are directed to submit a proposed revised Case Management Plan and Scheduling Order within seven days of any such order.

SO ORDERED.

Dated: February 3, 2025  
New York, New York



---

LEWIS J. LIMAN  
United States District Judge